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6 Attorney for Joshua Cola

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 JOSHUA COLA,  
14 Defendant.

Case No. 2:20-cr-00295-JCM-EJY  
**STIPULATION TO CONTINUE  
REVOCATION HEARING**  
(Tenth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
17 United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the  
18 United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha Brooks-  
19 Whittington, Assistant Federal Public Defender, counsel for Joshua Cola, that the Revocation  
20 Hearing currently scheduled on September 23, 2024, be vacated and continued to a date and  
21 time convenient to the Court, but no sooner than sixty (60) days.

22 This Stipulation is entered into for the following reasons:

23 1. Some of the allegations in the supervised release petition are the subject of a  
24 new charge in case number 2:22-CR-00263-JCM-NJK<sup>1</sup>. The parties have reached a proposed

26 <sup>1</sup>The parties have filed a stipulation in the related case because the Ninth  
Circuit's decision in *United States v. Duarte*, 101 F.4th 657 (9th Cir. 2024), vacated

1 global resolution and Mr. Cola intends on accepting the plea offer. Because the cases are  
2 intertwined, the parties move to continue this matter to resolve this case as well as the new case  
3 at the same time.

4 2. The defendant is-in custody and agrees with the need for the continuance.

5 3. The parties agree to the continuance.

6 This is the tenth request for a continuance of the revocation hearing.

7 DATED this 5th day of September 2024.

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9 RENE L. VALLADARES  
Federal Public Defender

JASON M. FRIERSON  
United States Attorney

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11 By /s/ Nisha Brooks-Whittington  
12 NISHA BROOKS-WHITTINGTON  
Assistant Federal Public Defender

13 By /s/ Melanee Smith  
14 MELANEE SMITH  
15 Assistant United States Attorney

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*pending reh'g en banc*, 108 F.4th 786 (9th Cir. 2024) is pending and bears on Mr.  
Cola's charges.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JOSHUA COLA,  
Defendant.

Case No. 2:20-cr-00295-JCM-EJY

## ORDER

JOSHUA COLA,

**Defendant.**

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For more information about the study, please contact Dr. John Smith at (555) 123-4567 or email him at [john.smith@researchinstitute.org](mailto:john.smith@researchinstitute.org).

IT IS THEREFORE ORDERED that the revocation hearing currently scheduled for September 23, 2024 at 10:30 a.m., be vacated and continued to **December 2, 2024, at 10:00 a.m.**

DATED September 12, 2024.

UNITED STATES DISTRICT JUDGE